

**MINUTES**  
**Crested Butte Town Council**  
**Regular Meeting**  
**Crested Butte Town Hall**  
**Monday December 19, 2005**

Mayor Alan Bernholtz called the meeting to order at 7:04 p.m. Council members present: Margot Levy, Ron Chlipala, Bill Coburn, Leah Williams, Skip Berkshire and Billy Rankin. Staff present: Town Manager Frank Bell, Town Attorney Laura Magner, Town Clerk Eileen Hughes, Town Planner John Hess (for part of meeting), and Finance Director Lois Rozman (for part of meeting).

Approval of the minutes of the November 21, 2005 and December 5, 2005 regular council meeting.

Coburn moved and Chlipala seconded to approve the minutes of the November 21, 2005 regular council meeting as amended on page 1 and page 5 and to approve the minutes of the December 5, 2005 regular council meeting as submitted. Roll call vote taken with all voting yes. **Motion passed unanimously.**

1. **PUBLIC COMMENTS** -None

2. **STAFF REPORTS**

Rozman: Town Employee health care coverage will be moved to the Colorado Employee Benefit Trust (CEBT) Plan effective Jan. 1, 2006. The move to a new provider allows the town to keep within budget for employee health coverage.

Hughes: Asked council if they would like the council agenda emailed to them the Tuesday before the meeting when the agenda is emailed to the newspaper for publication. Council said they would like to receive the agenda by email.

3. **PUBLIC HEARINGS**

A) Special Events Permit-Crested Butte Snowcross –Gunnison County Snow Trackers- Town Ranch. Bernholtz noted the applicant was not present.

Berkshire moved and Williams seconded to postpone special events application for Crested Butte Snowcross until January 3, 2006 regular council meeting. Roll call vote taken with all voting yes. **Motion passed unanimously.**

B) Ordinance 22, Series 2005-An Ordinance Adopting Changes and Additions to the 2005 Budget and Appropriations Relative To The General Fund, General Capital Fund, Sales Tax Fund and Affordable Housing Fund.

Bernholtz read the title of the ordinance and opened the public hearing. There were no public comments.

Rozman noted a revision to the ordinance that was just made today. She explained that \$7,000 was added to the general capital fund for the 6<sup>th</sup> Street drainage

project bringing the general capital fund to \$1,855,070. She noted that other changes since first reading of the ordinance are noted in her memo dated December 15, 2005.

Levy moved and Chlipala seconded to approve Ordinance No. 22, Series 2005, as amended by the finance director. Roll call vote taken with all voting yes. **Motion passed unanimously.**

4. **NEW BUSINESS**

A) Resolution No 16, Series 2005-A Resolution Granting Banking Powers of Town of Crested Butte Staff.

Rozman explained the resolution is a house-keeping measure, which allows staff banking powers to continue even if a bank the Town uses is acquired by another bank and the name of the bank changes.

Council asked Rozman a few questions about Town accounts and the Town's bank balances. Rozman noted the Town deals with several local banks. She added that she intends to issue a request for proposals (RFP) for Town banking services.

Levy moved and Rankin seconded to approve Resolution No. 16, Series 2005. Roll call vote taken with all voting yes. **Motion passed unanimously.**

B) Council Committee Appointments

Bell requested the item be postponed until the January 3, 2006 regular council meeting. Council concurred.

C) Letter to Gunnison County Planning Commission Regarding Proposed Whetstone Business Park.

Whetstone Business Park proponents Mike Potoker and John Nichols were in attendance. Council discussed a draft letter to the Gunnison County Planning Commission regarding Whetstone Business Park. The letter, drafted by Town Planner John Hess, was the result of council discussion regarding the proposed Whetstone Business Park at a council work session held on December 5, 2005.

Most of the council voiced support for the draft letter but also discussed several revisions. Magner suggested item #2 be revised to delete the word "retail" and change to "sales tax revenue generating sources" so if sales tax generating sources for the Town are broadened in the future, the change would apply to a revenue sharing plan determined for the Whetstone Business Park. Magner also suggested adding wording to the draft letter stating the proponents have agreed that within 60 days of sketch plan approval they will provide the Town with a legally enforceable revenue sharing plan or the proponents will remove the retail component of the project.

Whetstone Business Park proponents Mike Potoker and John Nichols argued for a longer time-line to provide a revenue sharing plan and they also expressed concern about the Town including wording in the letter that they agree to remove the retail component of the project if an acceptable revenue sharing plan is not provided. They said they would need to consult with their attorney.

After further discussion, council agreed to postpone sending a letter to the County Planning Commission regarding the Whetstone Business Park. Council directed the Town Attorney to draft an agreement between the Town and the proponents of the Whetstone Business Park, whereby the proponents agree to provide the Town with a legally enforceable revenue sharing plan.

Levy moved and Rankin seconded to bring from the table consideration of a special events permit for Gunnison County Snow Trackers for the Crested Butte Snowcross event. Roll call vote taken with all voting yes. **Motion passed unanimously.**

Event organizer Phil Chamberland was in attendance. Chamberland noted that he was unsuccessful in changing date to late January (as requested by council at Dec. 5 meeting) but was able to change the date of the event to February 11-12 (rather than Feb. 4-5 as originally proposed.) Bell said he did not think the revised dates conflicted with any major events in town.

Levy moved and Coburn seconded to approve a special events permit for the Gunnison County Snow Trackers-Crested Butte Snowcross event at the Town Ranch on February 11-12, 2006. Roll call vote taken with all voting yes. **Motion passed unanimously.**

D) Letter to Congress Regarding SB 1848 Concerning the Clean Up of Abandoned and Inactive Mines Act.

Hess commented about the importance of our local watershed and said it could be beneficial to support legislation that makes it easier for good Samaritans to take the initiative to clean up the impacts of old mining sites in Gunnison County and throughout the country.

Levy moved and Chlipala seconded to send letter to Colorado's Congressional delegation supporting the concept of a Good Samaritan Bill regarding remediation of old mining sites. Roll call vote taken with all voting yes. **Motion passed unanimously.**

## **7. LEGAL MATTERS TOWN ATTORNEY**

- Reported that a 30-day extension was granted by the U.S. Forest Service for comments on the application for renewal of the lease on the Keystone Mine water treatment plant.
- Requested the Town allocate up to \$2,500 to help pay for professional and technical assistance regarding analysis of the Keystone Mine water treatment plant facility and watershed. Magner explained that High Country Citizens Alliance (HCCA) and Gunnison County will also be asked to assist with funding.

Levy moved and Williams seconded to authorize the expenditure of up to \$2,500 out of the 2006 Water and Sewer Fund to help pay for professional and technical assistance for analysis of the Keystone Mine water treatment facility and watershed conditioned upon

Gunnison County also contributing. Roll call vote taken with all voting yes. **Motion passed unanimously.**

- Magner also reported she will bring an ordinance to council for revisions to the International Fire Code, 2003 edition, which was recently adopted by the council (Ordinance 20, Series 2005). She noted due to an oversight some of the revisions to the International Fire Code adopted by the Crested Butte Fire Protection District were not included in Ordinance No. 20, Series 2005.

8. **COUNCIL REPORTS AND COMMITTEE UPDATES**

Levy: Reported on recent Tourism Association meeting. Levy highlighted TA activities.

Williams: Attended Office of Resource Efficiency (ORE) board meeting.

Chlipala: Reported on a recent Mt. Express Board meeting. Mt Crested Butte Town Council member Danny D'Aquila is the new chairman of the board. Reported that Mt. Express and the Town of Mt. Crested Butte are concerned about employee usage of guest parking spaces on the Mountain and asked if the Town of Crested Butte could possibly designate some employee parking spaces in the lot the Town leases next to True Value on Sixth Street. Council directed the Town Manager to talk to Mt. Crested Butte officials and discuss possible solutions.

Council briefly discussed winter parking on both sides of Elk Avenue. Bernholtz and Levy requested council revisit the topic of winter parking on Elk Avenue at the January 3, 2006 council meeting.

8. **OTHER BUSINESS TO COME BEFORE COUNCIL**

Bell noted letter in the council packet from the Crested Butte Skate Board Alliance regarding a proposed rail park in town. Bell explained details are still being worked out and there's a chance the council could consider a special events permit for the park at the first or second council meeting in January 2006.

Council indicated they were fine with the letter dated December 6, 2005 to the U.S. Forest Service concerning the Crested Butte Mountain Resort (CBMR) Plan.

9. **COUNCIL MEETING SCHEDULING**

No discussion.

Bernholtz adjourned the meeting at 8:23 p.m. by unanimous consent.

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Alan Bernholtz, Mayor

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Eileen Hughes, Town Clerk

